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ROGUE RIVER NATIONAL FOREST

AUGUST 25, 1998.—Ordered to be printed

Filed under authority of the order of the Senate of July 31, 1998

Mr. MURKOWSKI, from the Committee on Energy and Natural
Resources, submitted the following

REPORT

[To accompany H.R. 3796]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 3796) to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management, having considered the same, reports favorably thereon with an amendment and recommends that the Act, as amended, do pass.

The amendment is as follows:

On page 2, line 15, strike “provide for” and insert in lieu thereof the following: “accept”.

PURPOSE

H.R. 3796, as ordered reported, would authorize the Secretary of Agriculture to convey an administrative site on the Rogue River National Forest in Oregon, and use the proceeds for the construction or improvement of office and support buildings to be shared by personnel of the Rogue River National Forest and the Bureau of Land Management (BLM).

BACKGROUND AND NEED

H.R. 3796 authorizes the Secretary of Agriculture to sell or exchange the Rogue River National Forest maintenance facility located on approximately 5.1 acres in Medford, Oregon. The proceeds from the sale or exchange will be used to expand the Bureau of

Land Management (BLM) office so that the Forest Service and the BLM can co-locate. The conveyance and improvements would be implemented in a manner consistent with all applicable laws.

The Forest Service and the BLM in Medford have been working cooperatively for many years. This cooperative relationship has resulted in improved customer service. The consolidation of office space will provide further efficiencies and improvements in public service and management. The Rogue River National Forest maintenance facility houses an automotive shop, radio shop, survey crew headquarters, road maintenance office, and forest-wide support warehouses. These facilities are currently being used by the staff of the Rogue River National Forest, but would become surplus to their needs should they co-locate.

The proceeds from the conveyance of this site would pay for improvements to a joint Forest Service/BLM site that will include: (1) an additional 20,000 square feet of office and conference space; (2) remodeling the current BLM office so that it fully complies with the Americans with Disabilities Act; and (3) a 5,300 square foot addition to the existing warehouse.

LEGISLATIVE HISTORY

H.R. 3796 was introduced on May 5, 1998, by Congressman Robert Smith (R-OR). The bill was referred to the Committee on Resources, and within the Committee, to the Subcommittee on Forests and Forest Health. On April 28, 1998, the Subcommittee held an oversight hearing on a draft of the bill. The Administration testified in support of the draft. On May 20, 1998, the Full Resources Committee met to consider H.R. 3796 and the bill was ordered favorably reported to the House of Representatives by voice vote. H.R. 3796 passed the House of Representatives on June 16, 1998 by voice vote.

On July 22, 1998, the Subcommittee of Forests and Public Lands of the Committee on Energy and Natural Resources held a hearing on the measure. A representative from the Forest Service testified in support of H.R. 3796. At the business meeting on July 29, 1998, the Committee on Energy and Natural Resources ordered H.R. 3796, as amended, favorably reported.

COMMITTEE RECOMMENDATION AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on July 29, 1998, by unanimous voice vote of a quorum present recommends that the Senate pass H.R. 3796, if amended as described herein.

COMMITTEE AMENDMENT

During consideration of H.R. 3796, the Committee adopted a technical amendment to clarify that the Secretary may accept the construction of a new facility in exchange for the conveyance of the existing one.

SECTION-BY-SECTION ANALYSIS

Section 1 contains a definition.

Section 2(a) states that the Secretary may sell or exchange any or all right, title, and interest of the United States in and to the Rogue River National Forest administrative site depicted on the map entitled "Rogue River Administrative Conveyance," dated April 23, 1998.

Subsection (b) provides that a conveyance of the administrative site under subsection (a) may be in exchange for the construction of administrative facilities.

Subsection (c) specifies that, except as otherwise provided in this Act, any sale or exchange is subject to the laws and regulations applicable to the conveyance and acquisition of land within the National Forest System.

Subsection (d) states that the Secretary may accept a cash equalization payment in excess of 25 percent of the value of an administrative site in an exchange under subsection (a).

Subsection (e) states that the Secretary may solicit offers for sale or exchange of the site, and may reject any offer determined not to be in the public interest.

Section 3 requires that the proceeds of a sale or exchange be deposited in the fund established under Public Law 90-171, known as the "Sisk Act." This section further requires that the funds be available for the construction or improvement of offices and support buildings for combined use by the Forest Service and by the Bureau of Land Management.

Section 4(a) states that public land orders withdrawing the administrative site from all forms of appropriation under the public land laws are revoked for any portion of the administrative site upon its conveyance.

Subsection (b) provides that the effective date of a revocation is the date of the patent or deed conveying the administrative site.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of this measure has been provided by the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 30, 1998.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3796, an act to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Victoria V. Heid.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

H.R. 3796—A bill to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management

Summary: H.R. 3796 would authorize the Secretary of Agriculture to sell or exchange an administrative site comprising about five acres in the Rogue River National Forest and to acquire other administrative facilities through purchase or exchange.

CBO estimates that enacting H.R. 3796 would result in an outlay savings of \$2 million in 1999, but would have no net effect on federal spending over the 1999–2003 period. Because the act would affect direct spending, pay-as-you-go procedures would apply. H.R. 3796 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would have no significant impact on the budgets of state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 3796 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and the environment).

[By fiscal year, in millions of dollars]

	1998	1999	2000	2001	2002	2003
CHANGES IN DIRECT SPENDING						
Estimated budget authority	0	0	0	0	0	0
Estimated outlays	0	–2	1	1	(¹)	0

¹ Less than \$500,000

Basis of estimate: H.R. 3796 would authorize the Secretary of Agriculture to sell or exchange about five acres in the Rogue River National Forest that is currently used as an administrative site. As part of such an exchange, the act would authorize the Secretary to either accept cash equalization payments that exceed 25 percent of the value of the site, or acquire existing or future administrative facilities and improvements in exchange for conveying the site. The act provides that any proceeds from sale or exchange of the site be deposited into an existing fund in the Treasury and that the funds be available, until expended, for the construction or improvement of offices and support buildings for combined use by the Forest Service and Bureau of Land Management.

Based on information from the Forest Service, CBO estimates the enacting H.R. 3796 could result in additional offsetting receipts from sale of the federal administrative site of about \$2 million in fiscal year 1999. CBO estimates that the Forest Service would spend, without further appropriation, any receipts from a sale of the site to construct or improve other facilities on federal land. Therefore, we estimate that the net effect on direct spending would be zero over the 1999–2003 period.

Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act sets up pay-as-you-go procedures for legislation affecting direct spending or receipts. Under the Balanced Budget Act of 1997, proceeds from a nonroutine asset sale may be

counted for purposes of pay-as-you-go scorekeeping only if the sale would entail no net financial cost to the government. Selling the Rogue River administrative site would not entail a net financial cost; therefore, the proceeds would be counted for pay-as-you-go purposes.

The net changes in outlays receipts that are subject to pay-as-you-go procedures are shown in the following table.

(By fiscal year, in millions of dollars)

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
Changes in outlays	0	-2	1	1	0	0	0	0	0	0	0
Changes in receipts	Not applicable										

Intergovernmental and private-sector impact: H.R. 3796 contains no intergovernmental or private-sector mandates as defined in the UMRA and would have no significant impact on the budgets of state, local, or tribal governments.

Previous CBO estimate: On June 2, 1998, CBO prepared a cost estimate for H.R. 3796 as ordered reported by the House Committee on Resources on May 20, 1998. This version of H.R. 3796 is virtually identical to the House version, and the estimated costs are the same.

Estimate prepared by: Victoria V. Heid.

Estimate approved by: Robert A. Sunshine, Deputy Assistant for Budget Analysis.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 3796.

The bill is not a regulatory measure in the sense of imposing Government established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program.

Therefore, there would be no impact on personal privacy.

Little if any additional paperwork would result from the enactment of H.R. 3796.

EXECUTIVE COMMUNICATIONS

On July 29, 1998, the Committee on Energy and Natural Resources requested executive comment on H.R. 3796 from the Department of Agriculture, the Department of the Interior, and the Office of Management and Budget. These legislative reports were not available at the time this report was filed. When the requested reports become available, the Chairman will request that they be printed in the Congressional Record for the advice of the Senate. The testimony provided by the Forest Service at the Subcommittee hearing follows:

STATEMENT OF GLORIA MANNING, ASSOCIATE DEPUTY
CHIEF, NATIONAL FOREST SYSTEMS, FOREST SERVICE,
DEPARTMENT OF AGRICULTURE

Mr. Chairman and members of the subcommittee, I am Gloria Manning, Associate Deputy Chief for National Forest Systems. I am pleased to be here to share the Administration's view on H.R. 3796, which would provide for the conveyance of an administrative site on the Rogue River National Forest.

The Administration supports H.R. 3796, Provision for Conveyance of the Rogue River National Forest Administrative Site.

H.R. 3796 ROGUE RIVER ADMINISTRATIVE SITE

H.R. 3796 would provide for conveyance of an administrative site on the Rogue River National Forest to improve facilities for the Medford Forest Service/Bureau of Land Management office in Oregon. The Administration supports the bill.

The legislation would provide for the conveyance of the McAndrews Service Center, currently owned by and operated in support of the Rogue River National Forest. The fair market compensation received through sale or exchange transactions would be authorized to be used for the construction or improvement of offices and support buildings at the Medford District Office of the BLM. These offices will then be shared with the Rogue River National Forest.

The Forest Service and BLM in Medford have been working cooperatively for many years. This cooperative relationship has resulted in improved customer service. The consolidation of office space will provide additional efficiencies and improvements in public service. Appropriated facilities funding is not likely to be available for an indeterminate amount of time; the authority that would be granted by this bill would allow for construction of improvements to begin in 18–24 months. The Forest Service is currently renting space from General Services Administration (GSA) located in the Federal building while the BLM is located in a BLM-owned building on a BLM-owned site across town. Other agencies located in the Federal building have indicated interest in occupying space the Forest Service is currently using and GSA has been a participant in discussions relating to the collection efforts.

The site being disposed of is the McAndrews Service Center, and includes facilities being used as an automotive shop, radio shop, survey crew headquarters, road maintenance office, and forest-wide support warehouses. These facilities are currently being used by the Rogue River National Forest but would become surplus to their needs should they be collected with the BLM in existing BLM facilities. The current BLM facility is composed of an office,

warehousing, and automotive heavy equipment operations facility.

The joint BLM/Forest Service office would provide “one stop shopping” for the community. Site improvements that would occur under this proposal include:

Addition of approximately 20,000 square feet of office and conference space;

Remodeling to assure full compliance with the Americans with Disabilities Act; and

5,300 square foot addition to the existing warehouse.

The legislation would allow the Forest Service to offer a site and existing improvements to the private sector in equal value exchange for improvement of facilities they will share with the BLM. This isolated parcel would be returned to private use and interagency operations and costs could be streamlined. The Administration supports this bill.

The Forest Service would like to offer a minor technical amendment that would clarify the intent that all funds received from the sale of the federal property are to be dedicated to the facility improvements as identified in H.R. 3796 and are not subject to the provisions in 35 Stat. 260.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act H.R. 3796, as ordered reported.

